

**CHAPTER 730. GRANTING A FRANCHISE TO LAKE SUPERIOR DISTRICT POWER COMPANY TO CONSTRUCT AND MAINTAIN FACILITIES FOR THE DISTRIBUTION OF NATURAL GAS IN THE CITY OF ASHLAND.**

**730.01. Franchise granted.** The City of Ashland hereby grants unto Lake Superior District Power Company, a Wisconsin corporation, its successors and assigns, an exclusive franchise to construct and maintain facilities within said city for the distribution and sale of natural gas to customers within the said city, and for such purpose said company is authorized to enter upon and use and occupy the streets, alleys, bridges, avenues and public grounds and places of the said city to construct, lay, maintain, operate and extend thereon, through and thereunder, such mains, pipes, apparatus, equipment and appliances as may be necessary or appropriate for the sale, distribution and delivery of natural gas to consumers within the said city, subject, however, to the conditions hereinafter set forth.

**730.02. Excavations.** For the purpose of carrying into effect the franchises and privileges granted by Section 730.01 hereof, Lake Superior District Power Company, its successors and assigns, is hereby authorized to make all necessary excavations in streets, alleys, avenues and public grounds and places, which shall be done with reasonable dispatch and with the least possible interference with, or inconvenience to, the rights of the public. If Lake Superior District Power Company shall restore all streets, alleys, avenues and public grounds and places when excavated by it, to their original condition of safety and utility, Lake Superior District Power Company shall use any bridges or viaducts on which to lay mains or other facilities, it shall lay or place such mains or other facilities over, under or upon such bridge or viaducts with the least practicable interference with, or inconvenience to, the rights of the public.

**730.03. Notice required.** Except in emergencies, Lake Superior District Power Company shall give the official or committee, designated by the City, 24 hours notice of its intention to excavate in any street, alley, avenue or public ground or place, and such excavation shall be made on the side or portion of the street, alley, avenue or public ground or place as may be directed by such official or committee.

**730.04. PSC approval.** Prior to commencing the construction of its natural gas distribution system and facilities in this City, Lake Superior District Power Company shall procure any authority from the Public Service Commission of Wisconsin, and any other regulatory body having jurisdiction, required to authorize construction of said facilities and to supply natural gas to customers within the said city.

**730.05. Termination of Franchise.** If Lake Superior District Power Company does not commence the construction of its natural gas distribution system and facilities required to introduce natural gas into the City of Ashland, within 12 months of the date when natural gas is delivered by a pipe line to a city gate delivery point near the city limits of said city for sale and distribution within the city, then the said City of Ashland shall have the option to terminate and cancel this franchise by giving Lake Superior District Power Company, its successors or assigns, at least 90 days written notice of its election to do so, such notice to Lake Superior District Power Company to be sent to 101 West Second Street, Ashland, Wisconsin.

**730.06. Rules and Regulations.** The franchise granted in this ordinance is subject to all lawful rules and regulation of the Common Council of said city and to all provisions of statutory law applicable thereto, and to all legal orders, rules and regulations of the Public Service Commission of Wisconsin and of any other state agency having authority under law, from time to time, over any phase of the operations of Lake Superior District Power Company under or pursuant to the franchise granted in this ordinance.

**ADOPTED:** 730 (695) 3/14/1961